

FCC Received February 15, 1994 @ 2:05 p.m.

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TRANSCRIPT OF PROCEEDINGS

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

IN THE MATTER OF:

PR DOCKET NO. 93-231

Charleston, West Virginia

RECEIVED

FEB 25 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

DATE OF HEARING: February 2, 1994

VOLUME: 3

PLACE OF HEARING: Washington, D. C.

PAGES: 209-401

FREE STATE REPORTING, INC.
Court Reporting Depositions
D.C. Area (301) 261-1902
Balt. & Annap. (410) 974-0947

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

FEB 25 1994

In the matter of:

CAPITOL RADIOTELEPHONE COMPANY, INC.
a/k/a CAPITOL RADIOTELEPHONE, INC.
or CAPITOL TADIO TELEPHONE, INC.
d/b/a CAPITOL PAGING AND
RAM TECHNOLOGIES, INC.

Huntington/Charleston, West Virginia

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

PR Docket No. 93-231

The above-entitled matter came on for hearing pursuant to Notice before Judge Joseph Chachkin, Administrative Law Judge, at 2000 L Street, N.W., Washington, D.C., 20554, in Courtroom No. 3, on Wednesday, February 2, 1994, at 9:30 a.m.

APPEARANCES:

On behalf of Capitol Radiotelephone, Inc.

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Washington, D.C. 20037-1170

On behalf of RAM Technologies, Inc.:

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On behalf of Mass Media Bureau:

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2					
3	<u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>
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EXHIBITS

		<u>Identified</u>	<u>Received</u>	<u>Rejected</u>
4	<u>Capitol Radiotelephone</u>			
5	Exhibit No. 1	213		
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17				
18	<u>Private Radio Bureau</u>			
19	PRB Ex. No. 8		304	
20				
21				
22				
23				
24	Hearing Began: 9:30 a.m.		Hearing Ended: 4:05 p.m.	
25	Lunch Break Began: 12:28 p.m.		Lunch Break Ended: 1:33 p.m.	

P R O C E E D I N G S

1
2 JUDGE CHACHKIN: Mr. Hardman, are you ready to
3 proceed?

4 MR. HARDMAN: Yes, Your Honor.

5 JUDGE CHACHKIN: The witness --

6 MR. HARDMAN: Okay. Mr. Walker --

7 JUDGE CHACHKIN: -- Mr. Walker. Mr. Walker is now
8 testifying on behalf of Mr. Hardman and Capitol. Yes. Go
9 ahead, Mr. Hardman.

10 MR. HARDMAN: May I approach the witness?

11 JUDGE CHACHKIN: Yes. Go ahead.

12 MR. HARDMAN: Let the record reflect that I'm
13 handing the witness a copy of the Capitol Prepared Exhibits in
14 this case and I would hand the reporter at this time in dupli-
15 cate copies of the exhibits, which I would ask be marked for
16 identification as Exhibit CAP-20.

17 JUDGE CHACHKIN: Well, I think it would -- might be
18 useful to the record that you mark for identification all your
19 exhibits.

20 MR. HARDMAN: At this time, Your Honor?

21 JUDGE CHACHKIN: At this time. So --

22 MR. HARDMAN: Very well.

23 JUDGE CHACHKIN: Then we'll proceed with the par-
24 ticular exhibits.

25 MR. HARDMAN: I would ask to be marked for

1 identification as Exhibit CAP-1 a document consisting of 30
2 pages, the Direct Testimony of J. Michael Raymond.

3 JUDGE CHACHKIN: The document described will be
4 marked for identification as Capitol Exhibit 1.

5 (Whereupon, the document referred to
6 as Capitol Exhibit No. 1 was marked
7 for identification.)

8 MR. HARDMAN: As Exhibit CAP-2, the document con-
9 sisting of 46 pages and which was a Petition to Deny filed by
10 RAM Technologies, Inc., and various attachments to that.

11 JUDGE CHACHKIN: That document will be marked for
12 identification as Capitol Exhibit 2.

13 (Whereupon, the document referred to
14 as Capitol Exhibit No. 2 was marked
15 for identification.)

16 MR. HARDMAN: As Exhibit CAP-3, the document con-
17 sisting of 13 pages, which is a Motion for Stay of Application
18 filed by RAM Technologies, Inc.

19 JUDGE CHACHKIN: The document consisting of 13 pages
20 is marked for identification as Capitol Exhibit 3.

21 (Whereupon, the document referred to
22 as Capitol Exhibit No. 3 was marked
23 for identification.)

24 MR. HARDMAN: As Exhibit CAP-4, a document consist-
25 ing of 19 pages, which is a Supplement to a Petition to Deny

1 | filed by RAM Technologies.

2 | JUDGE CHACHKIN: The document described is marked
3 | for identification as Capitol Exhibit 4.

4 | (Whereupon, the document referred to
5 | as Capitol Exhibit No. 4 was marked
6 | for identification.)

7 | MR. HARDMAN: As Exhibit CAP-5, the document of
8 | seven pages consisting of another Supplement to Petition to
9 | Deny filed by RAM Technologies.

10 | JUDGE CHACHKIN: And that document is dated 7/26/90.
11 | It's marked for identification as Capitol Exhibit 5.

12 | (Whereupon, the document referred to
13 | as Capitol Exhibit No. 5 was marked
14 | for identification.)

15 | MR. HARDMAN: Thank you, Your Honor. As Exhibit
16 | CAP-6, a two-page document which is a letter dated August 9,
17 | 1990, from the Federal Communications Commission to Frederick
18 | M. Joyce, Esquire.

19 | JUDGE CHACHKIN: That document is marked for
20 | identification as Capitol Exhibit 6.

21 | (Whereupon, the document referred to
22 | as Capitol Exhibit No. 6 was marked
23 | for identification.)

24 | MR. HARDMAN: And Exhibit CAP-7, a Petition for
25 | Reconsideration dated August 28, 1990, by RAM Technologies,

1 Inc. This is --

2 JUDGE CHACHKIN: The document is -- go ahead. The
3 document described is marked for identification as Capitol
4 Exhibit 7.

5 (Whereupon, the document referred to
6 as Capitol Exhibit No. 7 was marked
7 for identification.)

8 MR. HARDMAN: If -- the record should also show that
9 document consists of 14 pages.

10 JUDGE CHACHKIN: Yes. It will so show.

11 MR. HARDMAN: As Exhibit CAP-8, a document consist-
12 ing of six pages, which is a Motion for Stay of Application
13 dated August 28, 1990, by RAM Technologies, Inc.

14 JUDGE CHACHKIN: The document described is marked
15 for identification as Capitol Exhibit 8.

16 (Whereupon, the document referred to
17 as Capitol Exhibit No. 8 was marked
18 for identification.)

19 MR. HARDMAN: As Exhibit CAP-9, an eight-page
20 document which is a Reply to Opposition dated September 21,
21 1990, by RAM Technologies, Inc.

22 JUDGE CHACHKIN: The document described is marked
23 for identification as Capitol Exhibit 9.

24 (Whereupon, the document referred to
25 as Capitol Exhibit No. 9 was marked

1 for identification.)

2 MR. HARDMAN: As Exhibit CAP-10, I have a two-page
3 document which is a letter dated September 10, 1990, from Carl
4 S. Perkins, member of Congress, to Ralph A. Howard (phonetic
5 sp.), chief of the Private Radio Bureau.

6 JUDGE CHACHKIN: The document described is marked
7 for identification as Capitol Exhibit 10.

8 (Whereupon, the document referred to
9 as Capitol Exhibit No. 10 was marked
10 for identification.)

11 MR. HARDMAN: As Exhibit CAP-11, a letter dated
12 December 4, 1990, from Kenneth E. Hardman to Donna R. Sircy
13 (phonetic sp.) with an attached Declaration of J. Michael
14 Raymond, the document -- the entire document consisting of
15 three pages.

16 JUDGE CHACHKIN: The document described is marked
17 for identification as Capitol Exhibit 11.

18 (Whereupon, the document referred to
19 as Capitol Exhibit No. 11 was marked
20 for identification.)

21 MR. HARDMAN: As Exhibit CAP-12, a letter dated
22 March 15, 1991, from Kenneth E. Hardman to Donna R. Sircy with
23 attached Declarations of J. Michael Raymond dated March 14,
24 1991, and Declaration of Calvin R. Basham dated March 14,
25 1991, the document consisting of eight pages.

1 JUDGE CHACHKIN: The document described is marked
2 for identification as Capitol Exhibit 12.

3 (Whereupon, the document referred to
4 as Capitol Exhibit No. 12 was marked
5 for identification.)

6 MR. HARDMAN: As Exhibit CAP-13, a one-page docu-
7 ment, which is a letter dated March 19, 1991, from A. Dale
8 Capehart and Mike Raymond.

9 JUDGE CHACHKIN: The document described is marked
10 for identification as Capitol Exhibit 13.

11 (Whereupon, the document referred to
12 as Capitol Exhibit No. 13 was marked
13 for identification.)

14 MR. HARDMAN: As Exhibit CAP-14, a two-page document
15 consisting of a letter dated April 3, 1991, from Kenneth E.
16 Hardman to Richard J. Shiben, Federal Communications
17 Commission, and a letter dated May 14, 1991, from Richard J.
18 Shiben to Kenneth E. Hardman.

19 JUDGE CHACHKIN: The document described is marked
20 for identification as Capitol Exhibit 14.

21 (Whereupon, the document referred to
22 as Capitol Exhibit No. 14 was marked
23 for identification.)

24 MR. HARDMAN: As Exhibit CAP-15, a six-page document
25 consisting of copies of various radio station licenses.

1 JUDGE CHACHKIN: The document described is marked
2 for identification as Capitol Exhibit 15.

3 (Whereupon, the document referred to
4 as Capitol Exhibit No. 15 was marked
5 for identification.)

6 MR. HARDMAN: As Exhibit CAP-16, it's -- it is a
7 four-page document consisting of a letter dated July 30, 1992,
8 from Richard J. Shiben, Federal Communications Commission, to
9 Capitol Radio Telephone, Inc.

10 JUDGE CHACHKIN: That document is marked for iden-
11 tification as Capitol Exhibit 16.

12 (Whereupon, the document referred to
13 as Capitol Exhibit No. 16 was marked
14 for identification.)

15 MR. HARDMAN: As Exhibit CAP-17, a two-page document
16 consisting of a Pager Pickup Agreement of Capitol Paging and a
17 Sales Order for Capitol Radio Telephone, Inc.

18 JUDGE CHACHKIN: The document described is marked
19 for identification as Capitol Exhibit 17.

20 (Whereupon, the document referred to
21 as Capitol Exhibit No. 17 was marked
22 for identification.)

23 MR. HARDMAN: As Exhibit CAP-18, a 25-page document
24 consisting of the Declaration of Donald J. Dassey (phonetic
25 sp.) of the National Association of Business and Educational

1 Radio and ten attached documents identified as Declaration.

2 JUDGE CHACHKIN: The document described is marked
3 for identification as Capitol Exhibit 18.

4 (Whereupon, the document referred to
5 as Capitol Exhibit No. 18 was marked
6 for identification.)

7 MR. HARDMAN: As Exhibit CAP-19, and this is behind
8 Tab 20 because of the --

9 JUDGE CHACHKIN: Well, if it's -- it's not really --
10 it doesn't have anything with a document. It's just your
11 intention to put her on the stand.

12 MR. HARDMAN: Right. That, that's why this is not
13 an exhibit. So, the next exhibit, CAP-19, is actually behind
14 Tab 20 --

15 JUDGE CHACHKIN: I see.

16 MR. HARDMAN: -- which is a Memorandum dated July
17 19, 1991, from Carol Fox Foelak to Chief, Inspections -- I'm
18 sorry -- Investigations in Inspections Branch of Bureau of
19 Operation.

20 JUDGE CHACHKIN: So, there is Exhibit 19 is --

21 MR. HARDMAN: Yes. It is behind Tab 20.

22 JUDGE CHACHKIN: I see. All right. That document
23 will be marked for identification as Capitol Exhibit 19.

24 (Whereupon, the document referred to
25 as Capitol Exhibit No. 19 was marked

1 for identification.)

2 MR. HARDMAN: All right. And then jumping ahead to

3 CAP-22 --

4 JUDGE CHACHKIN: What's 20?

5 MR. HARDMAN: 20 is the notification of the --

6 JUDGE CHACHKIN: I thought it was a memorandum.

7 MR. HARDMAN: -- witness, Mr. Walker.

8 JUDGE CHACHKIN: Isn't it a memorandum dated -- oh,

9 this is the memorandum? It's 19.

10 MR. HARDMAN: The memorandum is 19. Then behind Tab

11 20 is the notification of Mr. Walker's testimony.

12 JUDGE CHACHKIN: Okay. Behind Tab 21?

13 MR. HARDMAN: Behind Tab 21. I'm sorry.

14 JUDGE CHACHKIN: So, 20 -- what is 20?

15 MR. HARDMAN: 20 is behind Tab 22.

16 JUDGE CHACHKIN: Now, wait a minute. What, what is,

17 what is 20? It's behind Tab, Tab 22?

18 MR. HARDMAN: Yes.

19 JUDGE CHACHKIN: And that says Timesharing at the --

20 MR. HARDMAN: It's a 17-page document containing

21 certain data and a letter dated April 10, 1991, from A. Dale

22 Capehart to Jim Walker.

23 JUDGE CHACHKIN: All right. That document is marked

24 for identification as Capitol Exhibit 20.

25 (Whereupon, the document referred to

1 as Capitol Exhibit No. 20 was marked
2 for identification.)

3 JUDGE CHACHKIN: Now, what's 21?

4 MR. HARDMAN: 21 is behind Tab 23, which is a three-
5 page document consisting of Declaration of Billy C.
6 McCallister.

7 JUDGE CHACHKIN: That document is marked for iden-
8 tification as Capitol Exhibit 21.

9 (Whereupon, the document referred to
10 as Capitol Exhibit No. 21 was marked
11 for identification.)

12 JUDGE CHACHKIN: What's 22, then?

13 MR. HARDMAN: 22 is behind Tab 24, which is a five-
14 page document consisting of Direct Testimony of Russell
15 Harrison and attached declarations.

16 JUDGE CHACHKIN: That document is marked for iden-
17 tification as Capitol Exhibit 22.

18 (Whereupon, the document referred to
19 as Capitol Exhibit No. 22 was marked
20 for identification.)

21 MR. HARDMAN: And the, the Exhibit CAP-23 is behind
22 Tab 25, and that is a 15-page document consisting of the
23 Direct Testimony of Arthur K. Peters, Professional Engineer.

24 JUDGE CHACHKIN: All right. That document is marked
25 for identification as Capitol Exhibit 23.

1 (Whereupon, the document referred to
2 as Capitol Exhibit No. 23 was marked
3 for identification.)

4 JUDGE CHACHKIN: And that's all your exhibits, I
5 gather?

6 MR. HARDMAN: Yes. Your Honor may remember that we
7 also had marked for identification yesterday a rebuttal exhib-
8 it as Exhibit CAP-26.

9 JUDGE CHACHKIN: And that should really be 24.
10 That's your next number.

11 MR. HARDMAN: It's -- yes, Your Honor.

12 JUDGE CHACHKIN: All right. Yesterday I marked for
13 identification a one-page exhibit consisting of a Telephone
14 Answering Service Receipt, and that document had been marked
15 as Capitol Exhibit 26. It will, however, be now marked as
16 Capitol Exhibit 24 for purposes of identification.

17 (Whereupon, the document referred to
18 as Capitol Exhibit No. 24 was marked
19 for identification.)

20 MR. HARDMAN: Thank you, Your Honor.

21 JUDGE CHACHKIN: And I assume you're not offering it
22 as this time, is that correct?

23 MR. HARDMAN: Not at this time, Your Honor.

24 JUDGE CHACHKIN: All right. Now, you can proceed.

25 MR. HARDMAN: Thank you.

1 JUDGE CHACHKIN: Does the reporter have copies of
2 all these exhibits?

3 MR. HARDMAN: I have at this time copies that -- you
4 know, in duplicate, of Capitol Exhibit 20, which is the sub-
5 ject we're going to --

6 JUDGE CHACHKIN: No, the reporter should have all --
7 copies of all the exhibits that you've marked for
8 identification.

9 MR. HARDMAN: Do you want them --

10 JUDGE CHACHKIN: Two copies.

11 MR. HARDMAN: -- at this time?

12 JUDGE CHACHKIN: To give to the reporter so she can
13 mark all the documents. Yes.

14 (Pause.)

15 MR. HARDMAN: Your Honor, I believe yesterday I
16 provided the, the reporter with the copies of what is now
17 Exhibit 24.

18 JUDGE CHACHKIN: Fine.

19 MR. HARDMAN: Thank you. I apologize for not having
20 these already --

21 JUDGE CHACHKIN: Oh, that's --

22 MR. HARDMAN: -- pulled out.

23 JUDGE CHACHKIN: -- that's fine. Now, you want to
24 show the witness -- what exhibit number are you showing the
25 witness now? 20? Is that it?

1 Whereupon,

2 JAMES G. WALKER

3 having been previously duly sworn, was called as a witness
4 herein and was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MR. HARDMAN:

7 Q Could you turn to the document which has been iden-
8 tified as Exhibit CAP-20. Do you have that, sir?

9 A I believe that's the one we've got.

10 Q All right. Do you recognize the -- turning to
11 page 1, do you recognize, do you recognize that document, sir?

12 A Yes. It's a listing of licensees on 152.48 in the
13 State of West Virginia. This is from the Commission's license
14 database as of March 15, '91.

15 MS. FOELAK: Your Honor, I object to the line of
16 questioning --

17 JUDGE CHACHKIN: He hasn't asked any questions yet.
18 He just asked him to identify the exhibit. Wait till he asks
19 a question about the exhibit. Go ahead, Mr. Hardman.

20 BY MR. HARDMAN:

21 Q Looking at the first four pages of that document,
22 is, is that the, the data that you -- well, let me ask you
23 this. Did you retrieve this data as part of your duties at
24 the FCC?

25 A Yes, I did.

1 Q And did you not retrieve the data as a result of a
2 complaint that was transmitted to you either orally or in
3 writing by Mr. Capehart at RAM?

4 A At --

5 MR. JOYCE: Your Honor, objection to the, the form
6 of the question. It's my understanding now that we're going
7 somewhat out of order and that this is a direct witness?

8 JUDGE CHACHKIN: He was -- he's being called as a
9 direct witness by -- that's right.

10 MR. JOYCE: In which case leading questions would be
11 improper because --

12 JUDGE CHACHKIN: Well, what, what was the leading
13 question that he asked? I mean, a simple question as to where
14 he retrieved it. I don't see where that deals with anything.

15 MR. JOYCE: Just so I understand that --

16 JUDGE CHACHKIN: When he gets to any substantive
17 matters and asks a leading question, you can object, but this
18 is preliminary, really, where, where this material was re-
19 trieved from.

20 MR. JOYCE: I understand. I withdraw my objection.

21 JUDGE CHACHKIN: Yeah.

22 MR. WALKER: Okay. According to my note at the top
23 of page 1, yes, this would have been in response to a
24 complaint from RAM, probably Mr. Capehart since Mr. Capehart's
25 the one I typically dealt with.

1 BY MR. HARDMAN:

2 Q All right. So, you do recognize the handwritten
3 notation at the top of page 1 as your writing?

4 A Yes, sir.

5 Q All right. Turning to page 2 of that exhibit, about
6 halfway down the page on the left-hand side on one line in,
7 "PIC," the note -- the, the entry: "WNJN-621, Ram
8 Technologies, Inc." Do you see that, sir?

9 A Yes, sir.

10 Q Could you tell us of what that represents?

11 A Simply shows that RAM has a license, call sign
12 WNJN-621, for that frequency. They have transmitters at St.
13 Albans, Charleston, Parkersburg, and it shows an expiration
14 date of May 24, 1995.

15 Q And, so, the, the three line items underneath that
16 -- the one we've just referred to also refer to data associat-
17 ed with that, that station?

18 A Yes, sir.

19 Q All right. Do you see at the right-hand side of
20 those three line items the, the notation in each case, "FB6C"?

21 A Yes, sir.

22 Q Do you know what that stands for?

23 A Not precisely, sir. Only that it's Fixed Base.

24 Q So, FB stands for Fixed Base. You're not certain
25 what 6C --

1 A No, sir, I'm not.

2 Q Perhaps I could help you out a little bit from the
3 instructions for Form 574.

4 A Okay.

5 Q And 574 is the application for various Private Radio
6 Service stations, is it not?

7 A Yes, it would be.

8 MR. HARDMAN: Your Honor, do you want me to show
9 this to the witness or would it be adequate for me to, to read
10 from it?

11 JUDGE CHACHKIN: What is that?

12 MR. HARDMAN: These are the instructions for FCC
13 Form 574.

14 JUDGE CHACHKIN: You could read it in the record.

15 BY MR. HARDMAN:

16 Q All right. Under Item 2 on page 15, it, it has
17 under "Station Class" the entry, "Private Carrier, Profit,
18 FB6." Would that, in, in your estimation, refer to those
19 three line items as, as Private Carrier, Profit, for profit --

20 A Yeah. If --

21 Q -- paging station?

22 A -- if that's the definition of FB6 from the in-
23 struction book, yes, I would agree to that.

24 Q Okay. And then farther on down, referring to the
25 suffixes, it says, "Where appropriate, follow each code

1 with..." among other things, "...C for interconnect." So,
2 would the C at the end of that notation stand for
3 interconnect?

4 A If that's, again, in accordance with those instruc-
5 tions, I guess it, it probably would.

6 Q Okay. So, at least according to the Commission's
7 database as of March 15 when you pulled this out, it reflected
8 that RAM Technologies had interconnected private carrier
9 paging stations or call sign WNJN-621? Is that -- the way --

10 A It, it --

11 Q -- I would interpret this --

12 A -- it would appear that way, yes.

13 Q Okay. Now, going back to the handwritten notation
14 at the top of page 1, did Mr. -- or Mr. Capehart make a claim
15 as part of the complaint about the, the identity of a call
16 sign that was associated with the transmission he was com-
17 plaining about?

18 A Yes. He indicated that he was hearing Capitol
19 Radio's Huntington call sign.

20 Q Were you able to identify any such call sign?

21 A I'm not able to identify what he referred to as a
22 Huntington call sign, nor in reviewing the tape was I able to
23 identify anything of that nature.

24 Q Going down to halfway down page 1, I see a line item
25 WNSX-646, Capitol Radio Telephone Company for Charleston. Do

1 | you see that --

2 | A Correct. Yes.

3 | Q Is WNSX-646, is that the call sign associated with

4 | Capitol's private carrier paging station?

5 | A That would be associated with Capitol's stations --

6 | Q Is that the --

7 | A -- on, on this -- on this given frequency, 152.48,

8 | in Charleston and Huntington.

9 | Q That's the one you're familiar with, isn't it?

10 | A Correct.

11 | Q So, I gather that when you made this inquiry, the --

12 | whatever call sign that Mr. Capehart was referring to was

13 | something other than WNSX-646?

14 | A My impression at the time was yes, there was some-

15 | thing different.

16 | Q Now, turning to pages 5 through page 8. Do you have

17 | those, sir?

18 | A Yes.

19 | Q Those documents -- or these pages purport to be the

20 | copy of a letter dated April 10, 1991, to you from Mr.

21 | Capehart with a couple of pages of attachments. Do you

22 | recall --

23 | A No.

24 | Q -- receiving that letter?

25 | A I recall seeing the letter, yes.

1 Q Did you take any action in response to statements
2 contained in these letters?

3 A I did not review the videotape that's referred to in
4 the letter. Perhaps I contacted Capitol by telephone.
5 Perhaps.

6 Q But I, I get -- the thrust of my question is you
7 don't recall taking any specific action --

8 A No. No.

9 Q -- in response? This was another in a series of --

10 A Another in a series of complaints.

11 Q -- similar complaints that you had been receiving?

12 A Correct.

13 Q Now, turning to pages 9 through 17, do you have
14 that, sir?

15 A Page 9, yes.

16 Q And do you have the others also?

17 A It appears that the rest of them are here as well.

18 Q This appears to be the same kind of data retrieval
19 as the first four pages. Is that right?

20 A Somewhat, except this is a search for -- on the call
21 sign, giving more detailed information about the particular
22 license.

23 Q But it, it was from the Commission's official
24 database?

25 A From the Commission's database as of August 10, '91.

1 Q And that was right before you inspected?

2 A Correct.

3 Q And you did the search in preparation for the
4 inspection?

5 A In preparation for inspection and monitoring.

6 Q Now, turning to page 13.

7 A Okay.

8 Q I see that the, the format in which the data is
9 displayed is a little bit different than in the earlier one.
10 At the, at the bottom of the page where it refers to transmit-
11 ter state, abbreviation "OH," which I assume is Ohio. Is that
12 right?

13 A Correct.

14 Q And then four lines down, "TXANT City Burlington."

15 A Okay.

16 Q Do you see that? Do I understand this correctly
17 that that refers to a transmitter at Burlington, Ohio?

18 A Well, that would refer to a transmitter at
19 Burlington, Ohio, correct.

20 Q And then turning to the top of page 14, I see the
21 same notation, "FB6C," and that would also be a fixed base
22 private carrier paging station that's interconnected? Is that
23 right?

24 A That would appear to be the case, yes.

25 Q And turning back, then, to page, page 12, this is a

1 facility -- that, that means it's a facility that's associated
2 with, with RAM Technologies' station WNJN-621? Is that right?

3 A Okay. I'll need to review that for a second. Okay.
4 It would appear that, yes, these are facilities associated
5 with RAM Technologies, Inc.

6 Q And then going back to page 14, in the middle of the
7 page there, we see the same notation for -- saying a facility
8 at St. Albans. That would also be a RAM facility with the
9 same call sign?

10 A It appears that way, yes.

11 Q And over to bottom of page 14 and top of page 15,
12 same notation for a facility at, at Charleston, West Virginia.
13 That would also be --

14 A Yes.

15 Q -- part of RAM's base station, according to the
16 information --

17 A Correct.

18 MR. HARDMAN: I have no more questions, Your Honor.

19 JUDGE CHACHKIN: Do you want to offer this exhibit?

20 MR. HARDMAN: Yes. I would --

21 MS. FOELAK: Your Honor, I would like --

22 JUDGE CHACHKIN: Let me -- let me -- yes, counsel?

23 Do you have questions you want to ask about this, what, before
24 the --

25 MS. FOELAK: Yes. I wanted to ask the relevance of